

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

March 15, 1999 LB 608

Legislature: the Championship Team of the State Decathlon Contest from Nemaha Valley High School in Cook, Nebraska, with their superintendent and sponsor. They are seated under the north balcony. If you would rise, we'd like to recognize, congratulate and welcome you to the Nebraska Legislature. Mr. Clerk, LB 608.

CLERK: Mr. President, (LB) 608, a bill originally introduced by Senator Matzke and others. (Read title.) The bill was introduced on January 19 of this year, at that time referred to the Business and Labor Committee. The bill was advanced to General File. There are committee amendments, Mr. President.

PRESIDENT MAURSTAD: Thank you, Mr. Clerk. Senator Matzke, you're recognized to open on LB 608.

SENATOR MATZKE: Thank you, Mr. President and members of the Legislature. Good morning. On this fine Monday morning I have the pleasure of introducing LB 608, which is a very unique bill. Sometimes when we lawyers and judges get involved in statutory matters of interpretation, we get results that are not particularly anticipated. Last year, there was a Supreme Court case in this state which gave rise to a later decision and interpretation by the Appeals Tribunal of the Department of Labor, which came up with a unique and rather astonishing result. The result was that if you are receiving a paid vacation from your employer you can also apply for and receive unemployment compensation. Now, many people ask how in the world could that happen. If you've got a job, if you're entitled to a vacation, if you're being paid your full vacation pay, how in the world can you go to your local labor office and apply for unemployment compensation? Well, it's not that long a story and it all started with a decision by the Nebraska Supreme Court which, on its facts, makes some sense, but I have to explain it to you. In the Pinzon case, decided by the Nebraska Supreme Court last year, they were faced with the case of a university professor who did not have tenure. He was hired to teach for 9 months and he was...elected to get paid over 12 months. So he taught his nine months and he continued to get payment during the summer after he had completed his contractual teaching obligation. He had no further employment. His contract was not renewed. His employment had actually stopped